

REMARKS/ARGUMENTS

Claims 22-41 are pending in this application. By this Amendment, Applicant AMENDS claims 22, 39, and 41.

Applicant's amendments to claims 22, 39, and 41 merely correct a minor grammatical error and should be entered After Final to place the Application in better form for appeal.

Applicant has amended claims 22, 39, and 41 to correct minor grammatical errors.

Claims 22, 23, 27-29, 36-39, and 41 were rejected under 35 U.S.C. § 102(b) as being anticipated by Yahara et al. (JP 10-297318). Claims 24-26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Yahara et al. in view of Hirasuna (JP 11-099852). Claims 30-32, 34, 35, and 40 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Yahara et al. in view of Kolpasky et al. (U.S. 7,474,309) and further in view of Ui (JP 2000-292198). Claim 33 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Yahara et al. in view of Kolpasky et al. and Ui, and further in view of Hirasuna.

Applicant respectfully traverses the rejections of claims 22-41.

Applicant's claim 22 recites:

An instrument panel image display device, installed on an apparatus so as to display an instrument panel image, said instrument panel image display device comprising:

a display arranged to display the instrument panel image including a plurality of gauge images, by which internal and external information of the apparatus is provided to a user, said instrument panel image being displayed in accordance with a plurality of image data which generates the plurality of gauge images, wherein each of said plurality of image data individually generates one of said plurality of gauge images; and

an image data changing section arranged to change one of said plurality of image data into another image data, said another image data generating another gauge image. (emphasis added)

Applicant's claim 39 recites features and method steps that are similar to the features recited in Applicant's claim 22, including the above-emphasized features.

The Examiner alleged that Yahara et al. teaches all of the features recited in Applicant's claim 22, including "a display (6) arranged to display the instrument panel image including a

plurality of gauge images, by which internal and external information of the apparatus is provided to a user, said instrument panel is displayed in accordance with a plurality of image data which generates the plurality of gauge images” and “an image data changing section (22) arranged to change one of said plurality of image data into another image data, said another image data generating another gauge image (see paragraph 24, lines 7-10 and Figure 10 - the down arrow is activated such that it now appears different than the up arrow, which has not been activated, while before the arrow was activated both arrows appeared to be the same color).” The Examiner made similar allegations about Applicant’s claim 39. Applicant respectfully disagrees.

Applicant’s claim 22 recites the features of “a display arranged to display the instrument panel image including a plurality of gauge images, by which internal and external information of the apparatus is provided to a user, said instrument panel image being displayed in accordance with a plurality of image data which generates the plurality of gauge images” and “an image data changing section arranged to change one of said plurality of image data into another image data, said another image data generating another gauge image.” Applicant’s claim 39 recites similar features and method steps.

Yahara et al. does not teach or suggest these features or method steps recited in Applicant’s claims 22 and 39.

Yahara et al. teaches a vehicle with a HUD image 75 that is displayed solely on the head-up display 24 in accordance with a single segment of image data which corresponds to the HUD image 75, as discussed in paragraph [0022] and shown in Fig. 10 of Yahara et al. Yahara et al. also teaches a menu image, but the menu image of Yahara et al. is displayed on the center cluster display 26 such that it is provided separately from the head-up display 24, as discussed in paragraph [0014] of Yahara et al. Accordingly, because the HUD image 75 does not include any part of the menu image, the single piece of the image data which indicates the HUD image 75 is not used in displaying any portion of the menu image. That is, the single piece of the image data that corresponds to the HUD image 75 does not correspond to feature of “one of

said plurality of image data” recited in Applicant’s claim 22 and similarly recited in Applicant’s claim 39.

Paragraph [0024] of Yahara et al., on which the Examiner relied upon in the outstanding Office Action, does not disclose any process of changing any portion of the menu image displayed on the center cluster display 26. Rather, paragraph [0024] of Yahara et al. discloses a process of changing image data indicative of a single HUD image 75 displayed on the head-up display 24 into another image data indicative of the single HUD image 75. Paragraph [0044] of Yahara et al. also discusses this relationship. Thus, even though one HUD image 75 is changed into another HUD image 75, no portion of the menu image is changed.

Further, according to paragraph [0040] of Yahara et al., one section of image data which corresponds to the whole HUD image 75 including up-arrows and down-arrows is prepared in advance. The HUD image 75 is displayed with a colored one of the down-arrows in accordance with this section of image data, as discussed in paragraph [0041] of Yahara et al. Accordingly, even assuming for the sake of argument that the upper-arrows and the down-arrows shown in Fig. 10 of Yahara et al. could be broadly interpreted as gauge images, Yahara et al. does not teach or suggest an arrangement in which one HUD image 75 is displayed using both: (i) image data indicative of each of the arrows, and (ii) another image data indicative of another part of the HUD image 75. That is, the arrow images of Yahara et al. do not correspond to the feature of “one of said plurality of image data” as recited in Applicant’s claim 22 and similarly recited in Applicant’s claim 39.

Additionally, nowhere in Yahara et al. is there any teaching or suggestion of image data that specifically corresponds to the arrows. Thus, because Yahara et al. does not teach or suggest image data that specifically corresponds to the arrows, Yahara et al. clearly does not teach or suggest that such image data can be changed to another image data indicative of a colored arrow.

Thus, Yahara et al. clearly fails to teach or suggest the features of “a display arranged to display the instrument panel image including a plurality of gauge images, by which internal and external information of the apparatus is provided to a user, said instrument panel image being

displayed in accordance with a plurality of image data which generates the plurality of gauge images" and "an image data changing section arranged to change one of said plurality of image data into another image data, said another image data generating another gauge image" as recited in Applicant's claim 22 and similarly recited in Applicant's claim 39.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 22 and 39 under 35 U.S.C. § 102(b) as being anticipated by Yahara et al.

The Examiner relied upon Hirasuna to allegedly cure the deficiencies of Yahara et al. However, Hirasuna clearly fails to teach or suggest the features of "a display arranged to display the instrument panel image including a plurality of gauge images, by which internal and external information of the apparatus is provided to a user, said instrument panel image being displayed in accordance with a plurality of image data which generates the plurality of gauge images" and "an image data changing section arranged to change one of said plurality of image data into another image data, said another image data generating another gauge image" as recited in Applicant's claim 22 and similarly recited in Applicant's claim 39. Thus, Applicant respectfully submits that Hirasuna fails to cure the deficiencies of Yahara et al. described above.

Accordingly, Applicant respectfully submits that Yahara et al. and Hirasuna, applied alone or in combination, fail to teach or suggest the unique combination and arrangement of elements recited in Applicant's claims 22 and 39.

Claim 30 recites the features of:

An instrument panel image display device, installed on an apparatus so as to display an instrument panel image, said instrument panel image display device comprising:

a display arranged to display the instrument panel image including a gauge image, by which internal and external information is provided to a user, and a background image, which serves as a background of the gauge image, in accordance with image data that generates said gauge image and image data that generates the background image; and

an image data changing section arranged to change said image data which generates said background image into another image data, said another image data generating another background image. (emphasis added)

Applicant's claim 40 recites features and method steps that are similar to the features

recited in Applicant's claim 30, including the above-emphasized features.

The Examiner alleged that the combination of Yahara et al., Kolpasky et al., and Ui teaches all of the features recited in Applicant's claim 30. More specifically, the Examiner alleged that Yahara et al. teaches "a display (6) arranged to display the instrument panel image including a gauge image, by which internal and external information is provided to a user, in accordance with image data that generates said gauge image (see paragraph 14 - each of the images, i.e. radio, TV, or air conditioning information images, comes from a separate source, i.e. the radio, TV, or air conditioning control module, such that each image is generated by separate image data)" and "an image data changing section (22) arranged to change said image data, which generates said image into another image data, said another image data generating another image (see paragraph 24, lines 7-10 and Figure 10 - the down arrow is activated such that it now appears different than the up arrow, which has not been activated, while before the arrow was activated both arrows appeared to be the same color)."

However, the Examiner admitted, "Yahara et al. fails to teach that the image data also includes background image data." To remedy this deficiency in Yahara et al., the Examiner relied upon Kolpasky et al. and Ui, alleging "Kolpasky et al. teaches that the display also displays a background image, which serves as a background of the main image, and that the background image is generated by background image data (see column 4, lines 41-42 and 52-57)," "Kolpasky additionally teaches that the background color can be any of a variety of colors, particularly white, black or shades of gray (see column 4, lines 41 -42)," and "Ui teaches varying the display data depending on the determination as to whether it is day or night (i.e. bright or dark environment), such that the background of the display screen becomes darker (see paragraph 20, lines 4-7 and Figure 4)."

Thus, the Examiner concluded, "It would have been obvious to one of ordinary skill in the art at the time of invention that background image data may need to be adjusted for the ease of use of a display during different times of day, as taught by Ui, such that the background data as taught by Kolpasky et al. can vary between shades of white and black as necessary according to the determination of time of day by the display controller. It further would have

been obvious to generate separate gauge image data and background image data such that each portion of the display can be supplied only the appropriate data to generate the desired image (i.e. each gauge data is responsible only for the area of the display that it covers, and the background data fills in any areas that have not been occupied by the gauge images)."

Applicant respectfully disagrees.

Applicant's claim 30 recites the features of "a display arranged to display the instrument panel image including a gauge image, by which internal and external information is provided to a user, and a background image, which serves as a background of the gauge image, in accordance with image data that generates said gauge image and image data that generates the background image" and "an image data changing section arranged to change said image data which generates said background image into another image data, said another image data generating another background image." Applicant's claim 40 recites similar features and method steps.

None of Yahara et al., Kolpasky et al., and Ui teaches or suggests these features or method steps.

Yahara et al. teaches a vehicle with a HUD image 75 that is displayed solely on the head-up display 24 in accordance with a single segment of image data which corresponds to the HUD image 75, as discussed in paragraph [0022] and shown in Fig. 10 of Yahara et al. However, as discussed above, Yahara et al. does not teach or suggest individual image data that corresponds to a specific gauge image, and the Examiner admitted that Yahara et al. does not teach or suggest a background image.

Thus, Yahara et al. does not teach or suggest the features of "a display arranged to display the instrument panel image including a gauge image, by which internal and external information is provided to a user, and a background image, which serves as a background of the gauge image, in accordance with image data that generates said gauge image and image data that generates the background image" and "an image data changing section arranged to change said image data which generates said background image into another image data, said another

image data generating another background image” as recited in Applicant’s claim 30 and similarly recited in Applicant’s claim 40.

Kolpasky et al. teaches a display apparatus for a hybrid drive vehicle that includes screen 54 with icons 58A, 58B, and 58C and visual elements 82A, 82B, and 82C, as shown in Figs. 2-5 and discussed in column 4, lines 12-42 of Kolpasky et al. However, column 4, lines 41 and 42 of Kolpasky et al. state that the screen 54 displays a uniform background 74. This uniform background is necessary so that all of the icons 58A, 58B, and 58C and visual elements 82A, 82B, and 82C can be clearly distinguished. There is no teaching or suggestion anywhere in Kolpasky et al. of changing the background 74, nor does Kolpasky et al. discuss individual image data that corresponds to a specific gauge image.

Thus, Kolpasky et al. clearly fails to teach or suggest the features of “a display arranged to display the instrument panel image including a gauge image, by which internal and external information is provided to a user, and a background image, which serves as a background of the gauge image, in accordance with image data that generates said gauge image and image data that generates the background image” and “an image data changing section arranged to change said image data which generates said background image into another image data, said another image data generating another background image” as recited in Applicant’s claim 30 and similarly recited in Applicant’s claim 40.

Ui merely teaches changing the color spectrum of a display depending on whether it is day or night. Ui does not teach or suggest the image data associated with a background image is replaced with different image data. All that Ui teaches is that the same input background data will be displayed using different colors depending on the time of day. Ui also fails to teach or suggest anything about individual image data that corresponds to a specific gauge image.

Thus, Ui clearly fails to teach or suggest the features of “a display arranged to display the instrument panel image including a gauge image, by which internal and external information is provided to a user, and a background image, which serves as a background of the gauge image, in accordance with image data that generates said gauge image and image data that generates the background image” and “an image data changing section arranged to change

said image data which generates said background image into another image data, said another image data generating another background image” as recited in Applicant’s claim 30 and similarly recited in Applicant’s claim 40.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 30 and 40 under 35 U.S.C. § 103(a) as being unpatentable over Yahara et al. in view of Kolpasky et al. and Ui.

The Examiner relied upon Hirasuna to allegedly cure the deficiencies of Yahara et al., Kolpasky et al., and Ui. However, Hirasuna clearly fails to teach or suggest the features of “a display arranged to display the instrument panel image including a gauge image, by which internal and external information is provided to a user, and a background image, which serves as a background of the gauge image, in accordance with image data that generates said gauge image and image data that generates the background image” and “an image data changing section arranged to change said image data which generates said background image into another image data, said another image data generating another background image” as recited in Applicant’s claims 30 and similarly recited in Applicant’s claim 40. Thus, Applicant respectfully submits that Hirasuna fails to cure the deficiencies of Yahara et al., Kolpasky et al., and Ui described above.

Accordingly, Applicant respectfully submits that Yahara et al., Kolpasky et al., Ui, and Hirasuna, applied alone or in combination, fail to teach or suggest the unique combination and arrangement of elements recited in Applicant’s claim 30 and 40.

In view of the foregoing amendments and remarks, Applicant respectfully submits that claims 22, 30, 39, and 40 are allowable. Claims 23-29 and 31-38 depend upon claims 22 and 30 are therefore allowable for at least the reasons that claims 22 and 30 are allowable.

In view of the foregoing amendments and remarks, Applicant respectfully submits that this application is in condition for allowance. Favorable consideration and prompt allowance are solicited.

Application No. 10/598,110
March 3, 2010
Reply to the Office Action dated December 7, 2009
Page 15 of 15

The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

Dated: March 3, 2010

/Erik Preston #64,733/
Attorneys for Applicant

KEATING & BENNETT, LLP
1800 Alexander Bell Drive, Suite 200
Reston, VA 20191
Telephone: (571) 313-7440
Facsimile: (571) 313-7421

Joseph R. Keating
Registration No. 37,368

Erik Preston
Registration No. 64,733